

LAW4504 International Human Rights Law

Code

LAW4504

Title

International Human Rights Law

Prerequisites

None

Credits

3

Description

This course serves as a basic introduction to International Human Rights law. The course will acquaint students with every significant aspect of this critical field including its history, theory, and practice. Beginning with a focus on the historical origins, philosophical foundations and the emergence of the concept of human rights, the course will go on to cover such topics as: the United Nations human rights system, the Universal Declaration of Human Rights and United Nations Charter; the various generations of rights - including political, civil, economic, social and cultural rights - and remedies for human rights violations including the use of force and humanitarian intervention; major international and regional human rights conventions and other related legal instruments and organizations; and the mechanisms for the implementation human rights and the reporting of violations, including through the advocacy efforts of NGOs.

Objectives

The lectures will lay down the structure and foundations of international human rights law, in order to facilitate the personal study of the requested readings. Students are encouraged to actively participate to the lectures as these are aimed also at solving the doubts or uncertainties that the topic at stake may arise

Outcomes

Upon successful completion of the course, students will be able to: 1 Knowledge outcomes • acquire knowledge of the concepts and institutions of International Human Rights Law for further specialisation and study in preparation for their future careers, whether in the legal profession, or in academic or other areas of employment. • develop their understanding of the relevance of certain concepts in the theory, doctrine, method and goals of International Human Rights Law. • develop their understanding of a number of conceptual devices. • familiarise themselves with the literature and legal sources associated with International Human Rights Law. 2 Skills outcomes • learn to organise their own learning programme and manage their time effectively. • learn to assimilate large amounts of material and extract from it relevant information to successfully prepare for and complete each seminar and written assignment. • learn to listen and participate effectively in class. • learn to express ideas cogently orally and in writing. • develop problem-solving skills and the ability to generate practical ideas for the solution of legal problems.

Assessment

60 % -first and second assessments

40 % -final assessment

Tentative course outline

Week1

Introduction ♣ Introduction to the course ♣ Group exercise

Week2

Historical background ♣ Individuals and international law before the Second World War ♣ Individuals and international law after the Second World War: mutually complementary legal regimes ♣ Three "generations" of human rights ♣ Introduction to substantive rights

Week3

International Bill of Human Rights ♣ Universal Declaration of Human Rights ♣ International Covenant on Civil and Political Rights (ICCPR) ♣ First and Second Optional Protocols to the ICCPR ♣ International Covenant on Economic, Social and Cultural Rights

Week4

Equality and non-discrimination ♣ The concept of equality and the prohibition of discrimination ♣ Sex discrimination ♣ Racial discrimination ♣ Religious discrimination ♣ Other grounds of discrimination

Week5

The right to life ♣ A positive obligation to protect life ♣ Death penalty ♣ Death by actions of State security forces ♣ Death in armed conflict ♣ Abortion ♣ Genocide and crimes against humanity

Week6

Freedom from torture and other ill-treatment ♣ Torture ♣ Inhuman or degrading treatment or punishment ♣ The treatment of detainees ♣ Emergency situations

Week7

The right to liberty of person ♣ Slavery and servitude ♣ Deprivation of liberty ♣ Grounds of detention ♣ Procedural guarantees ♣ Derogations from the provisions

Week8

The right to a fair trial ♣ Recognition, equality, and access to justice ♣ Prohibition of retroactive penal legislation ♣ Independence and impartiality of courts ♣ Presumption of innocence ♣ Minimum guarantees for criminal trials

Week9

Freedom of expression ♣ Freedom of expression ♣ Freedom of the press and media ♣ Freedom of correspondence ♣ Exceptions

Week10

The right to work ♣ The right to work ♣ The right to just and favourable conditions of work and remuneration ♣ The right to equal pay for equal work

Week11

The right to education ♣ Access to education ♣ Nature of education ♣ Academic freedom ♣ The right to human rights education

Week12

Minority rights ♣ The need for minority protection ♣ Defining "minorities" ♣ The scope of applicable international law ♣ Regional developments

Week13

Group rights ♣ The right to self-determination ♣ Indigenous peoples ♣ Women ♣ Children ♣ Refugees ♣ The right to peace

Week14

United Nations Human Rights machinery ♣ The main UN organs ♣ The High Commissioner for Human Rights ♣ Treaty-monitoring bodies ♣ Other international organs

Week15

Cultural relativism and regional human rights mechanisms ♣ The advantages of regional human rights mechanisms ♣ Europe ♣ The Americas ♣ Africa Other regional mechanisms